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Legal and Technical Commission

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Review of environmental impact assessments for the testing of collector components in the exploration area

Note by the secretariat

1. On 28 March 2018, the Secretary-General received an environmental impact assessment for the testing of collector components in the German contract area from the Federal Ministry of Economic Affairs and Energy of Germany, as prepared by the German Federal Institute for Geosciences and Natural Resources (BGR) and approved by the German State Authority for Mining, Energy and Geology. In the assessment, it was outlined that an in situ technical test of a pre-prototype nodule collector vehicle currently being developed by Global Sea Mineral Resources (GSR), a subsidiary of the Dredging, Environmental and Marine Engineering (DEME) Group of Belgium, is planned for April 2019, in the eastern part of the BGR contract area, for the exploration of polymetallic nodules in the Clarion-Clipperton Fracture Zone.

2. On 30 March 2018, the Secretary-General received an environmental impact assessment from GSR for the testing of collector components in its contract area. GSR is developing a pre-prototype nodule collector vehicle equipped with a launch and recovery system, planned to be deployed and trialled in its contract area in the Fracture Zone in April 2019.

3. It is noted that both submissions are in line with the requirement that the prior environmental impact assessment be submitted by the contractor to the Secretary-General at least one year before the proposed activity takes place and at least three months in advance of the annual session of the Authority, as prescribed in the recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area (the recommendations) (see ISBA/19/LTC/8, para. 20).

4. Pursuant to paragraph 19 of the recommendations, the testing of collection systems and equipment requires a prior environmental impact assessment, and a monitoring programme is needed before, during and after the specific activity. In discussions with BGR and GSR regarding the format and content of the proposed assessment, the secretariat had drawn attention to paragraph 52 of the explanatory commentary (see annex I to the recommendations, in which the key components of a plan for the testing of collection systems are outlined) and to annex V to the draft

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regulations on exploitation of mineral resources in the area in the form in which they had been circulated in 2017 (see ISBA/23/LTC/CRP.3), which contains a template for an environmental impact statement and forms a useful point of reference for this purpose.

5. The Commission may also recall that, pursuant to paragraph 51 of annex I to the recommendations, the environmental studies conducted during exploration, including the monitoring of tests, will be based on a plan proposed by the contractor and reviewed by the Commission for completeness, accuracy and statistical reliability.

6. Both submissions will be put on the agenda of the meeting of the Commission, which will be held from 2 to 13 July 2018.

7. With a view to assisting the Commission in its consideration of the environmental impact assessments within 20 days of their receipt, the secretariat conducted an initial technical review of both assessments for completeness against the template for an environmental impact statement contained in annex V to the draft exploitation regulations. As a result of its review, the secretariat identified the need for additional documentation relating to the proposed environmental monitoring programme, which has been requested of each contractor.

8. Once the completeness of the documentation has been acknowledged by the secretariat, the secretariat will continue its evaluation of the environmental impact assessments for accuracy and statistical reliability. It is proposed that this will be conducted through an external peer review, carried out individually by at least two internationally recognized external experts. That will take place within 45 working days of submission.

9. Evaluation reports prepared respectively by the secretariat and by the external experts will be made available to the Commission prior to its next meeting in July 2018, with a view to assisting the Commission in conducting its review. The evaluation reports are intended to be completed within 60 days of the submission.

10. It is understood that both contractors, GSR and BGR, will hold public consultations in Belgium and Germany, respectively. These will not involve the Authority. The Authority will post the environmental impact assessments on its website for access by the general public in due course and prior to the twenty-fourth session of the Authority.

11. The Commission is invited to review both environmental impact assessments and their associated monitoring plans and to make any comments and suggestions, which may be communicated by the Secretary-General to BGR and GSR at the earliest opportunity.